

EXHIBIT A

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David W. Slayton,
Executive Officer/Clerk of Court,
By G. Cordon, Deputy Clerk

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

Laura Coles, (See additional parties list
with plaintiffs attached)

Plaintiffs,

vs.

WHALECO, Inc., d/b/a TEMU; PDD
Holdings, Inc., f/k/a PINDUODOU Inc.;
and DOES 1-100, inclusive,

Defendants.

CASE NO. 25STCV08563

**[UNLIMITED] COMPLAINT FOR
DAMAGES**

- 1. VIOLATION OF THE
ELECTRONIC COMMUNICATIONS
PRIVACY ACT OF 1986 (ECPA);**
- 2. VIOLATION OF THE COMPUTER
FRAUD AND ABUSE ACT;**
- 3. VIOLATION OF THE CALIFORNIA
COMPREHENSIVE DATA ACCESS
AND FRAUD ACT ("CDAFA");**
- 4. VIOLATION OF THE CALIFORNIA
INVASION OF PRIVACY ACT;**
- 5. VIOLATION OF THE CALIFORNIA
UNFAIR COMPETITION LAW;**
- 6. VIOLATION OF THE CALIFORNIA
FALSE ADVERTISING LAW;**
- 7. VIOLATION OF THE RIGHT OF
PRIVACY UNDER THE CALIFORNIA
CONSTITUTION;**
- 8. INTRUSION UPON SECLUSION**

DEMAND FOR JURY TRIAL

Plaintiffs Laura Coles, (See additional parties list with plaintiffs attached) (collectively
"Plaintiffs"), bring this complaint based upon on information and belief, by and through
undersigned counsel, against Whaleco Inc. d/b/a Temu ("Temu"), and PDD Holdings Inc.
f/k/a Pinduoduo Inc. (collectively, "Defendants").

1 **JURISDICTION AND VENUE**

2 1. This Court has subject matter jurisdiction over this action pursuant to Article
3 VI, section 10 of the California Constitution and Code of Civil Procedure section 410.10

4 2. This Court has personal jurisdiction over Defendants. Defendants are a
5 corporation or other business entity authorized to conduct and does conduct business in the
6 Stat of California. Defendants advertise and sells products in California, and conducts
7 sufficient business with sufficient minimum contacts in California, and/or otherwise
8 intentionally avails itself of the California market through its promotion, sales, distribution,
9 and marketing within this State to render the exercise of jurisdiction by this Court permissible.

10 3. Venue is proper in this county in accordance with Section 395(a) of the
11 California Code of Civil Procedure because the alleged wrongs occurred in the county. Venue
12 is also proper in this county because it was the county where at least one Plaintiff resides.

13 **NATURE OF ACTION**

14 4. In 2022, Defendants launched an online shopping platform, Temu, in the
15 United States. The Temu mobile app and website (the “Temu platform” or “Temu app”), is
16 purported to be an online shopping platform that allows users to purchase low-cost goods
17 manufactured in China. However, the Temu app is actually dangerous malware,
18 surreptitiously granting itself access to virtually all data on a user’s cell phone.

19 5. Specifically, Temu is purposefully designed to gain unrestricted access to a
20 user’s phone operating system, including, but not limited to, a user’s camera, specific
21 location, contacts, text messages, documents, biometric information and other applications.
22 Temu is designed to make this expansive access undetected, even by sophisticated users.

23 6. Once installed, Temu can recompile itself and change properties, including
24 overriding the data privacy settings users believe they have in place. Even users without the
25 Temu app are subject to Temu’s gross overreach if any of their information is on the phone of
26 a Temu user. Temu monetizes this unauthorized collection of data by selling it to third parties.

27 7. This action arises out of Defendants’ violations of the Electronic
28 Communications Privacy Act of 1986 (ECPA), 18 U.S.C. §§ 2510-2523 and California
Consumer Privacy Act of 2018 (CCPA), Cal. Civ. Code § 1798.100.

PARTIES

8. Plaintiff Laura Coles, an individual and citizen of the State of California, County of Los Angeles. Plaintiff downloaded the Temu App and used/shopped on the App and/or platform, thereby subjecting Plaintiff to personal and private data misappropriation by defendant.

9. Additional Plaintiffs listed on ATTACHMENT A, are individuals and citizens of the United States of America. Plaintiffs downloaded the Temu App and used/shopped on the app and/or platform, thereby subjecting Plaintiffs to personal and private data misappropriation by defendant.

10. Whaleco Inc. d/b/a Temu (“Temu”) is, and at all relevant times was, a corporation incorporated in Delaware and headquarter in Boston, Massachusetts. Temu is an online marketplace operated by the Chinese e-commerce company PDD Holdings Inc.

11. PDD Holdings Inc. f/k/a Pinduoduo Inc., is a company that was founded in China in 2015 under the name Pinduoduo. It owns and operates a portfolio of businesses and is listed on the Nasdaq exchange in the United States. Among other things, PDD Holdings Inc., operates the Pinduoduo e-commerce platform that offers products in various categories, including agricultural produce, apparel, shoes, bags, mother and childcare products, food and beverage, electronic appliances, furniture and household goods, cosmetics and other personal care, sports and fitness items and auto accessories. It also owns the company that operates the Temu online marketplace. PDD Holdings Inc. was formerly known as Pinduoduo Inc., with headquarters in Shanghai, China. PDD Holdings Inc. claims that in February 2023, it moved its “principal executive offices” from Shanghai, China to Dublin, Ireland. However, it continues to have significant operations in China, with multiple subsidiaries located within China. PDD Holdings Inc. is registered in the Cayman Islands.

12. Defendants do not function as separate and independent corporate entities. Defendant Temu is directly controlled by Defendant PDD Holdings Inc. At all relevant times, Defendant PDD Holdings Inc. has directed the operations of Defendant Temu with respect to the Temu App, and Defendant Temu has reported to Defendant PDD Holdings Inc. Employees from Defendant PDD Holdings Inc. performed work on the Temu App, including software engineers who previously developed the Pinduoduo App for PDD Holdings Inc.

1 Defendant PDD Holdings Inc. makes key strategy decisions for Defendant Temu, which was
2 charged with executing such decisions.

3 13. Defendants DOES 1 through 100, inclusive, are other possible Defendants
4 responsible for the wrongful conduct alleged herein. The true names and capacities of
5 Defendants named herein as DOES 1 through 100, inclusive, whether individual, corporate,
6 associate, or otherwise, are unknown to Plaintiffs, who therefore sue such Defendants by such
7 fictitious names pursuant to California Code of Civil Procedure § 474. Plaintiffs are informed
8 and believe that the DOE Defendants are California residents. Plaintiffs will amend their
9 Complaint to show true names and capacities when they have been determined. Plaintiffs are
10 informed and believe, and on the basis of such information and belief allege, that each
11 Defendant DOE herein is in some manner responsible for the discrimination, harassment, and
12 retaliation against Plaintiffs due to their protected reporting activities, and damages herein
13 alleged.

14 14. Plaintiffs are informed and believe and thereon allege that each Defendant is,
15 and at all times mentioned was, the agent, employee or representative of each other
16 Defendant. Each Defendant, in doing the acts, or in omitting to act as alleged in this
17 Complaint, was acting within the scope of his or her actual or apparent authority, or the
18 alleged acts and omissions of each Defendant as an agent were subsequently ratified and
19 adopted by each other Defendant as a principal.

20 **FACTUAL ALLEGATIONS**

21 15. Founded in 2015, PDD Holdings is one of China's largest companies,
22 generating billions in total value of goods sold. Among other business activities, PDD
23 Holdings operates Pinduoduo, (the "Pinduoduo platform" or "Pinduoduo App") an e-
24 commerce App created in China that offers various consumer products.

25 16. Defendant PDD Holdings Inc. subsequently developed a second online retail
26 App, and in 2022 launched the Temu App in the United States.

27 17. The Temu App provides a marketplace for Chinese suppliers to offer their
28 products. However, the Temu App also handles delivery, promotion, and after-sales services
for merchants on its platform.

18 18. The Temu App was based on the Pinduoduo App, and many of the same
software engineers who developed Pinduoduo also worked on what became the Temu App.

1 19. The Temu App/platform became available to consumers in the United States in
2 late 2022.

3 20. Since that time, Defendants have heavily promoted the Temu App throughout
4 the United States, through television advertisements, large online ad campaigns, and
5 sponsorships.

6 21. As a result of their efforts, by 2023, the Temu App was the most downloaded
7 App In the United States amassing millions of U.S. users.

8 22. Analysts have found that Temu App, specifically, uses the allure of
9 inexpensive Chinese-manufactured goods to entice users into unknowingly providing
10 unwarranted and extensive access to their private data through deceptive methods.

11 **A. Concerns Arise Regarding Security of The Temu App/Platform**

12 23. In early to mid-2023, the Temu App and/or platform, along with the popular
13 social media app TikTok was identified as one of the Chinese-affiliated App that poses a
14 significant threat to users' data and privacy.

15 24. Concerns also began to emerge after Temu's precursor platform, the
16 Pinduoduo App, was pulled from the Defendants' Play Store due to the presence of malware
17 that exploited vulnerabilities in Android operating systems. Analysts, including experts for the
18 Defendants, concluded that the Pinduoduo App was covertly collecting private and personal
19 data from users without their knowledge and consent.

20 25. In mid-2023, Apple suspended the Temu App from the Apple Store based on
21 the same data privacy concerns. Apple concluded that Temu made misrepresentations
22 regarding the types of data Temu can access and collect from users. Reports indicated that
23 Apple had expressed concerns regarding the Temu App, stating that it did not comply with
24 Apple's data privacy standards and that Temu was misleading users about how their data is
25 utilized.

26 26. Such concerns have also been expressed recently by government authorities
27 who have examined the App. For example, the State of Montana recently banned the Temu
28 App on government devices, along with other Chinese Apps that have engaged in data privacy
violations, such as TikTok.

1 27. In January of 2024, the Arkansas Attorney General sued Temu for deceiving
2 Arkansans and illegally accessing their personal information and data.

3 28. Likewise, U.S. authorities have also raised concerns regarding Temu’s data
4 practices.

5 29. In April 2023, the U.S.-China Economic and Security Review Commission, a
6 government entity established by Congress to investigate, assess, and report annually on the
7 national security implications of the economic relationship between the United States and the
8 People’s Republic of China, issued a report noting the significant data risks associated
9 specifically with the Temu App.

10 30. Subsequently, technical analysts have determined that the Temu App is
11 deemed even more “malicious” than the suspended Pinduoduo App, noting that Temu’s data
12 collection scope is extensive, surpassing what is necessary for the functioning of an online
13 shopping app.

14 31. According to one commentator, aside from Bluetooth and Wi-Fi access, “Temu
15 gains full access to all your contacts, calendars, and photo albums, plus all your social media
16 accounts, chats, and texts. In other words, literally everything on your phone.... No shopping
17 app needs this much control, especially one tied to Communist China.”

18 **B. Temu Violates Users Data Privacy Rights in Multiple Ways.**

19 1. **The Scope of Data Collected**

20 32. First, analysts have observed that the scope of the data collected by Temu is
21 sweeping and goes well beyond the scope of the data that is needed to run an online shopping
22 app.

23 33. In addition to Bluetooth and Wi-Fi access, “Temu gains full access to all your
24 contacts, calendars, and photo albums, plus all your social media accounts, chats, and texts. In
25 other words, literally everything on your phone..”

26 34. Additionally, it is alleged that the Temu App “bypasses” phone security
27 systems to read a user’s private messages, make changes to the phone’s settings and track
28 notifications.

35. In September of 2023, one technical investigation of the app published by an
analyst firm, concluded that the “TEMU app is purposefully and intentionally loaded with

1 tools to execute virulent and dangerous malware and spyware activities on user devices which
2 have downloaded and installed the TEMU app.”¹

3 36. The analysis went so far as to claim that Defendant PDD Holdings was a
4 “fraudulent company” and that “its shopping app TEMU is cleverly hidden spyware that poses
5 an urgent security threat to U.S. national interests.”

6 37. Among the primary findings of the report were the following:

- 7 a. “The app has hidden functions that allow for extensive data exfiltration
8 unbeknown to users, potentially giving bad actors full access to almost all
9 data on customers’ mobile devices.”
10 b. “Great efforts were taken to intentionally hide the malicious intent and
11 intrusiveness of the software.”
12 c. “We engaged numerous independent data security experts to decompile and
13 analyze TEMU app’s code, integrated with experts of our own staff, and
14 analysts who have written independently in the public domain.”
15 d. “Contributing to the danger of mass data exfiltration is the fast uptake rate
16 of the TEMU app: over 100 million app downloads in the last 9 months, all
17 in U.S. and Europe. TEMU is not offered in China.”
18 e. “The TEMU app development team includes 100 engineers who built the
19 Pinduoduo app, which earned a suspension from the Defendants Play
20 Store.”
21 f. “Pinduoduo app got reinstated by removing the ‘bad parts,’ some of which
22 were identically utilized as components of the TEMU app, strongly
23 indicating malicious intent.”
24 g. “We strongly suspect that TEMU is already, or intends to, illegally sell
25 stolen data from Western country customers to sustain a business model
26 that is otherwise doomed for failure.”

27 38. Additionally, the analysis concluded that the Temu App contains malware,
28 spyware, and other means to “plunder” user data: “TEMU has laid an extensive software

¹ See “We believe PDD is a Dying Fraudulent Company and its Shopping App TEMU is Cleverly Hidden Spyware that Poses an Urgent Security Threat to U.S. National Interests” found at: <https://grizzlyreports.com/we-believe-pdd-is-a-dying-fraudulent-company-and-its-shopping-app-temu-is-cleverly-hidden-spyware-that-poses-an-urgent-security-threat-to-u-s-national-interests/>

1 foundation to recklessly plunder its customers' data. Our staff analysis, verified by numerous
2 expert confirmations, both proprietary experts we hired, plus those independently published in
3 the public domain, find malware, spyware, and several levels of exceptionally threatening
4 software behavior.”

5 39. The analysis further found that the Temu App has the capability to hack users'
6 phones and override data privacy settings that users have purposely set to prevent their data
7 from being accessed.

8 40. Technical analysis of the Temu App found “all the signs of red-flag concern,”
9 noting that “[t]he calls to outside device data and functions that violate users' privacy are far
10 more aggressive than any well-known consumer shopping app.”

11 41. Further analysis found “a stack of software functions that are completely
12 inappropriate to and dangerous in this type of software.”

13 42. For example, the “TEMU app is referencing systems data outside the bounds of
14 TEMU's own app. TEMU seemingly reads the user's system logs. This gives TEMU the
15 ability to track user actions with other apps running on the user's device.”

16 43. It is believed that the Temu App also collects identifying information unique to
17 a user's device. Specifically, “TEMU asks for the MAC address, and other device
18 information, and inserts it into a JSON object to be sent to the server.”

19 44. The Temu App also has the capability to take screenshots of users' phones and
20 store those to a file.

21 45. The Temu also has the ability to read and transmit files on the user's system
22 “with little or no encryption.”

23 46. The Temu can access users' cameras and microphones whenever the app is
24 running, such a function provides a means by which the Temu App can surreptitiously collect
25 user biometric data and information such as video, facial image, and voiceprint data.

26 47. Many of the categories of data and information collected by Defendants are
27 particularly sensitive. For example, in addition to highly sensitive biometric information
28 discussed below, Defendants also collect physical and digital location tracking data that is
highly invasive of Temu users' privacy rights. “Location data is among the most sensitive
personal information that a user can share with a company . . . Today, modern smartphones
can reveal location data beyond a mere street address. The technology is sophisticated enough

1 to identify on which floor of a building the device is located.” Over time, location data reveals
2 private living patterns of Temu users, including where they work, where they reside, where
3 they go to school, and when they are at each of these locations. Location data, either standing
4 alone, or combined with other information, exposes deeply private and personal information
5 about Temu users’ health, religion, politics and intimate relationships.

6 48. The Temu data collection begins as soon as the app is downloaded. As reported
7 in a recent technical report: “‘TEMU sends a lot of detailed user and system data elements as
8 soon as the app is loaded.’ The user’s system gets queried in detail, so all that information is
9 available to send to TEMU servers. (As noted above, this includes the device’s unique MAC
10 address.) No user permission is required to gather any of this category of information.” Temu
11 contains “a complete arsenal of tools to exfiltrate virtually all the private data on a user’s
12 device and perform nearly any malign action upon command trigger from a remote server.”

13 49. Additionally, individuals who are not Temu users and have never signed up for
14 the platform may also be adversely impacted. Unbeknownst to them, non-users who engage in
15 electronic communications with Temu users, such as through email or text messages, may
16 have their private communications subject to harvesting by Defendants who have broad
17 access to Temu users’ devices.

18 **2. The Surreptitious Nature of The Apps Data Mining.**

19 50. The Temu App contains technology (encrypt, decrypt or shift integer signals)
20 that obscures the source code and system calls so that intrusive and dangerous calls are harder
21 to detect when an app store or others perform security scans. In addition, the Temu App
22 contains a runtime.exec() function that allows Temu to get compiled code onto the user’s
23 system at runtime that has not been seen by any security detection scans. These features alone
24 demonstrate that the Temu App is purposefully designed to be “very virulent
25 malware/spyware.”

26 51. Issues uncovered with the app “occur in parts of the code that are proprietary,
27 obscured, and/or from a code library rarely used, poorly programmed by a niche company.”
28 This is inconsistent with common practice and appears to be designed to obscure the
dangerous features of the app so that they will not be disclosed to the public and will avoid
scrutiny by the app stores that provide the app to the public.

1 52. For example, a technical analysis found a “package compile” function that was
2 “not visible to security scans before or during installation of the app, or even with elaborate
3 penetration testing.” As a result, “TEMU’s app could have passed all the tests for approval
4 into the Defendants’ Play Store, despite having an open door built in for an unbounded use of
5 exploitative methods.”

6 53. In addition, the Temu App seeks to obscure the permissions that are given to
7 the app to access information on users’ phones. “[M]any of these permissions in TEMU’s
8 source code are not listed in their Android Manifest file, which is the standardized overview
9 source for an app.”

10 54. The Temu App deceptively requests permissions in ways that do not clearly
11 inform users that they are providing certain permissions to the App. Accordingly, because the
12 Temu App “masks its intentions” by using such deceptive means, “You wouldn’t suspect that
13 the TEMU app contains a full stack of malware/spyware tools to do just about anything it
14 wants with your phone and get nearly anything stored on it sent to its own servers in the
15 background.”

16 55. The Temu App also contains functions to alert the App if a debugger is
17 engaged. Such a feature is likely incorporated into the App “to obstruct or obscure analysis of
18 the app, and most likely to change app behavior if an analyst is inspecting it dynamically.”

19 **3. Temu Subjects User Data To Misappropriation By Chinese Authorities.**

20 56. The data privacy violations documented with the Temu App are particularly
21 concerning not only because they subject user data to unauthorized collection and potential
22 sale to third parties, but also because Temu’s parent is a China-based company that is subject
23 to Chinese law that requires companies to provide user data to the government upon request.
24 As a technical analysis of the Temu App has noted, “Your personal data – much more than
25 you ever assumed – is resold indiscriminately for marketing purposes, and in all probability
26 available to Chinese Security authorities for data mining purposes. Chinese Government
27 security agents or their AI computers might be looking at what products you or your family
28 buy on TEMU as a source of leverage, influence, manipulation, ‘cross-border remote justice’,
surveillance, or more.”

1 57. As experts and government authorities have repeatedly observed, under
2 applicable law, user data owned by Chinese companies is available on command to officials
3 of the Chinese communist government. The Chinese government’s ongoing efforts to acquire
4 such private user data from American citizens—both legally and illegally—are well
5 documented.

6 58. As U.S. Senators have explained, “Security experts have voiced concerns that
7 China’s vague patchwork of intelligence, national security, and cybersecurity laws compel
8 Chinese companies to support and cooperate with intelligence work controlled by the Chinese
9 Communist Party.”

10 59. Inherent in Chinese ownership of companies collecting American users’
11 private and personally identifiable information. During the broadcast, among other things, a
12 former member of the U.S. intelligence community observed that what makes the possession
13 of U.S. user data by China-affiliated companies “particularly concerning” is that “[t]he
14 Chinese have fused their government and their industry together so that they cooperate to
15 achieve the ends of the state.” As Senator Hawley observed during the broadcast, for example,
16 the Chinese-owned parent company of TikTok had an express legal obligation to share such
17 private user data with the Chinese government: “under Chinese law, TikTok, ByteDance, the
18 parent, is required to share data with the Chinese Communist Party”; “all it takes is one knock
19 on the door of their parent company, based in China, from a Communist Party official for that
20 data to be transferred to the Chinese government’s hands, whenever they need it.”

21 60. In testimony given to Congress in November 2022, FBI Director Christopher
22 Wray reiterated these concerns, noting that Chinese law requires Chinese companies to “do
23 whatever the government wants them to in terms of sharing information or serving as a tool of
24 the Chinese government. And so that’s plenty of reason by itself to be extremely concerned.”

25 61. China-based companies are required by law to secretly provide consumer data
26 to the government upon demand.

27 62. The message contained in each of China’s state security laws passed since the
28 beginning of 2014 is clear: everyone is responsible for the party-state’s security. According to
the CCP’s definition of state security, “the Party’s political leadership is central...” And the
party expects Chinese people and citizens to assist in collecting intelligence. The Intelligence
Law states “any organization and citizen shall, in accordance with the law, support, provide

1 assistance, and cooperate in national intelligence work, and guard the secrecy of any national
2 intelligence work that they are aware of...” Not only is everyone required to participate in
3 intelligence work when asked, but that participation must be kept secret.

4
5 **C. Temu Uses Unfair Business Practices to Get Users to Engage with the App.**

6 63. Defendants actively utilize manipulative and deceptive practices in order to
7 maximize the number of users who sign up to use the app, thereby maximizing the amount of
8 data that Defendants can misappropriate. According to one commentator, “TEMU is a
9 notoriously bad actor in its industry. We see rampant user manipulation, chain-letter-like
10 affinity scams to drive signups, and overall, the most aggressive and questionable techniques
11 to manipulate large numbers of people to install the app.”

12 64. Defendants seek to induce users to sign up for the Temu App with the promise
13 of low-cost, high-quality goods manufactured in China. Defendants underscore this aspect of
14 the platform through a variety of mechanisms such as pop-ups with wheels to spin for
15 discounts, tokens to collect, and countdown clocks.

16 65. These tactics have been wildly successful: “PDD’s TEMU online marketplace
17 is being reported as among the fastest uptaken apps in history.”

18 66. These practices have allowed Defendants to maximize their access to user data
19 through the false promise of low-cost, high-quality goods. Moreover, they further demonstrate
20 that Defendants’ real business is not providing a platform for the sale of quality merchandise,
21 but rather obtaining access to user data under false pretenses, which they then misappropriate
22 and seek to monetize.

23 67. Defendants utilize additional deceptive marketing techniques to induce users to
24 sign up for the platform and grant Defendants access to user data. For example, Defendants
25 run what has been described as an “affinity scam” or “chain letter” like tactic where users are
26 repeatedly urged to sign up their friends and acquaintances in order to expand the number of
27 users whose data Defendants may then access through the App.

28 68. Among other things, Temu offers credit and free items to users who get their
friends and acquaintances to sign up for the app. “Those who do register are subjected to a
bombardment of emails and app notifications.”

1 69. “Once you give TEMU your personal information, you will be repeatedly
2 spammed, hounded, nagged, and bribed to get your friends and family to give TEMU their
3 personal information. When users fall down this rabbit hole (getting that Nintendo Switch
4 absolutely free), TEMU sends a torrent of popup sequences milking users for ‘just one more
5 contact’.”

6 70. In addition, Temu users are bombarded by notifications and spam from third
7 parties other than Defendants. These emails and notifications occur even after users delete the
8 app from their devices and even when users seek to block such notifications.

9 71. Moreover, Temu has utilized online “influencers” to harvest new users on an
10 even larger scale. “There are now literally thousands of so-called ‘influencers’ hawking
11 TEMU referrals on Reddit, YouTube, TikTok, and also Minecraft, Roblox, Discord... the
12 pitch is: ‘You don’t have to buy anything, just sign up!’” “If you have a social media
13 presence, TEMU will figure that out and will start to spam you – every day – to induce you to
14 create videos promoting TEMU, for which they promise to pay.”

15 72. Defendants attract and maintain users through other fraudulent means. For
16 example, “TEMU ... compensates users to write reviews,” which are then “obviously skewed
17 positive.” Moreover, reviews are categorized in a deceptive manner with reviews
18 characterized as “five stars” positive reviews when in reality they contain extremely negative
19 comments about the platform.

20 73. Finally, as illustrated by its gamified nature, Temu is designed to be highly
21 addictive. As one report notes, “[t]he app successfully keeps people hooked. The average user
22 spends around 28 minutes a day on the app, according to Sensor Tower, nearly double the 16
23 minutes spent on Amazon.” The more time users spend on the app, the more data is available
24 for covert collection by Defendants in violation of users’ right to privacy in their personal
25 data.

26 74. As one analysis observes, the addictive tactics extend not only to users
27 continued use of the platform, but also inducing individuals to sign up for the app: “Your
28 behavior will be categorized and siloed. If these kinds of inducements exert an addictive pull
29 on your brain, AI pattern recognition will guarantee you will see a lot more of them.”

1 **C. Plaintiffs' Have Been Harmed by Temu's Violations.**

2 75. The United States Supreme Court has recognized that, in contemporary
3 society, cell phones are so ubiquitous and inextricably intertwined with the user's personal
4 privacy that the devices have become "almost a 'feature of human anatomy.'" *Carpenter v.*
5 *United States*, 138 S. Ct. 2206, 2218 (2018) (quoting *Riley v. California*, 573 U.S. 373, 385
6 (2014)).

7 76. As a result of their multiple violations of users' data privacy, Defendants
8 possess identifying information, biometric identifiers and information, and other data
9 sufficient to create a file of private and personally identifiable data and content for Plaintiffs.
10 Such files can be supplemented over time with additional private and personally identifiable
11 user data and content, and all of this private and personally identifiable data and information
12 has been, is, and will be used in the past, the present, and the future for economic and
13 financial gain.

14 77. Meanwhile, Plaintiffs have incurred, and continue to incur, harm as a result of
15 the invasion of privacy stemming from Defendants' possession of their private and personally
16 identifiable data and content – including their user identifiers, biometric identifiers and
17 information, and other data.

18 78. Plaintiffs have suffered and continue to suffer harm in the form of diminution
19 of the value of their private and personally identifiable data and content as a result of
20 Defendants' surreptitious and unlawful activities.

21 79. Plaintiffs have a reasonable expectation of privacy in the private and personally
22 identifiable data and content on their mobile devices.

23 80. Through the unauthorized collection of their data, Plaintiffs' may have suffered
24 additional injuries. The data collected from Temu users by these unauthorized means can be
25 misused by Defendants themselves in ways that are not authorized, including the information
26 being sold or given to unauthorized third parties without the consent of Plaintiffs.

27 81. Temu users may be subjected to additional injuries, including the provision or
28 sale of their data to unauthorized third parties or the use of their data in ways that users did not
authorize by Defendants themselves.

FIRST CAUSE OF ACTION
VIOLATION OF THE ELECTRONIC COMMUNICATIONS PRIVACY ACT OF
1986 (ECPA),
18 U.S.C. §§ 2510 ET SEQ.
(All Plaintiffs Against All Defendants)

82. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

83. The Electronic Communications Privacy Act of 1986, 18 U.S.C. §§ 2510, et seq., prohibits the interception of any wire, oral, or electronic communications without the consent of at least one authority party to the communication. The statute confers a civil cause of action on “any person whose wire, oral, or electronic communication is intercepted, disclosed, or intentionally used in violation of this chapter.” (*see*; 18 U.S.C. § 2510(4)).

84. “Intercept” is defined as “the aural or other acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.” (*see*; 18 U.S.C. § 2510(4)).

85. “Contents” is defined as “includ[ing] any information concerning the substance, purport, or meaning of that communication.” (*see*; 18 U.S.C. § 2510(4)).

86. “Person” is defined as “any employee, or agent of the United States or any State or political subdivision thereof, and any individual, partnership, association, joint stock company, trust, or corporation.” (*see*; 18 U.S.C. § 2510(4)).

87. “Electronic communication” is defined as “any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo optical system that affects interstate or foreign commerce” (*see*; 18 U.S.C. § 2510(4)).

88. For the purposes of the ECPA, Defendants, as a corporation are each defined as a “person.”

89. The Temu App/platform was designed with malware written into its code that secretly accesses texts, emails and other content on users’ computers, phones and/or mobile devices, each constituting a “device or apparatus.”

90. Defendants used the Temu app/platform to intercept wire, oral, or electronic communication through electronic means on users’ devices.

1 91. For the purposes of 18 U.S.C. § 2510(12), Plaintiffs’ texts, emails, electronic
2 interactions with others on social media and websites, sensitive personal information, and
3 data, and interactions with other individuals and websites are “electronic communication(s).”

4 92. Through the Temu App/platform Defendants surreptitiously intercepted
5 plaintiffs’ “electronic communication[s]”.

6 93. Plaintiffs have an expectation of privacy in such communications, and
7 exercised a reasonable expectation of privacy concerning the transmission of those messages,
8 and reasonably believed that their electronic communications were not being intercepted,
9 recorded, copied, disseminated, and/or misappropriated.

10 94. Plaintiffs’ electronic communications were intercepted during transmission,
11 without their consent and for the unlawful and/or wrongful purpose of monetizing private
12 information and data, including by using their private information and data to develop
13 marketing and advertising strategies and utilizing user data for other commercial advantage.

14 95. Defendants were not parties to Plaintiff’s communications.

15 96. Defendants are sophisticated parties, who at all relevant times knowingly,
16 willfully and intentionally intercepted Plaintiffs electronic communications through the Temu
17 App/platform.

18 97. Plaintiffs did not consent to Defendants’ interception, disclosure, use and/or
19 misuses and misappropriation of their electronic communications.

20 98. Defendants violated 18 U.S.C. § 2511(1)(a) by intentionally intercepting,
21 and/or attempting to intercept, messages transmitted by Plaintiffs who have used the Temu
22 app/platform.

23 99. Defendants violated 18 U.S.C. § 2511(1)(a), by using Plaintiffs’ intercepted
24 communications and data intentionally for corporate gain and profit.

25 100. Defendants were unjustly enriched by their unauthorized interception of
26 Plaintiffs’ electronic communications.

27 101. Defendants violated 18 U.S.C. § 2511(1)(a), by making Plaintiffs’
28 communications accessible by third parties, including the Chinese Communist Party and
foreign governmental entities whose interests are opposed to those of United States citizens.

102. Plaintiffs suffered and will continue to suffer damages including but not limited to loss of their information and loss of money and costs incurred, all of which have ascertainable value to be proven at trial.

103. Pursuant to 18 U.S.C. § 2520, Plaintiffs have been damaged by the interception, disclosure, and/or use of their communications in violation of the ECPA and are each entitled to: (1) appropriate equitable or declaratory relief; (2) damages, in an amount to be determined at trial, assessed as the greater of (a) the sum of the actual damages suffered by Plaintiffs and any profits made by Defendants as a result of the violation, or (b) statutory damages of whichever is the greater of \$100 per day per violation or \$10,000; and (3) reasonable attorneys' fees and other litigation costs reasonably incurred.

SECOND CAUSE OF ACTION
VIOLATION OF THE COMPUTER FRAUD AND ABUSE ACT,
18 U.S.C. §§ 1030
(All Plaintiffs Against All Defendants)

104. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

105. The Computer Fraud and Abuse Act, 18 U.S.C. § 1030, referred to as "CFAA," regulates fraud and related activity in connection with computers, and makes it unlawful to intentionally access a computer used for interstate commerce or communication, without authorization or by exceeding authorized access to such a computer, thereby obtaining information from such a protected computer, within the meaning of U.S.C. § 1030(a)(2)(C).

106. 18 U.S.C. § 1030(a)(5)(A)(i) makes it unlawful to "knowingly cause the transmission of a program, information, code, or command and as a result of such conduct, intentionally cause damage without authorization, to a protected computer," of a loss to one or more persons during any one-year period aggregating at least \$5,000 in value.

107. 18 U.S.C. § 1030(g) provides a civil cause of action to "any person who suffers damage or loss by reason of a violation of CFAA."

108. Defendants violated 18 U.S.C. § 1030 by intentionally accessing Plaintiffs' computers without authorization or by exceeding authorization, and by obtaining information from a protected computer.

1 109. Plaintiffs' computer, smartphone, and/or mobile devices, such as a tablet or
2 iPad is a "protected computer . . . which is used in interstate commerce and/or
3 communication" within the meaning of 18 U.S.C. § 1030(e)(2)(B).

4 110. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(i) by knowingly causing the
5 transmission of data and programs on Plaintiffs' protected computers.

6 111. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(i) by storing sniffing code to
7 access, collect, and transmits details of Plaintiffs' web activities and communications.

8 112. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(ii) by intentionally accessing
9 Plaintiffs' protected computers without authorization, and as a result of such conduct,
10 recklessly caused damage to Plaintiffs' computers by weakening the integrity of data and/or
11 system and/or information stored on Plaintiffs protected computers.

12 113. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(ii) by surreptitiously installing
13 dangerous malware and spyware onto Plaintiffs' protected computers causes the Plaintiffs to
14 suffer damage through the "impairment to the integrity or availability of data, a program, a
15 system or information."

16 114. Defendants' unlawful access to Plaintiffs' computers and electronic
17 communications has caused Plaintiffs irreparable injury.

18 115. Plaintiffs have suffered loss, as defined in 18 U.S.C. § 1030(e)(11). In
19 expending "reasonable cost" associated with Plaintiffs responding to the violating offense,
20 conducting a damage assessment, and restoring the data, program, system, or information to
21 its condition prior to the offense, and any revenue lost, cost incurred, or other consequential
22 damages incurred because of interruption of service or the data breach.

23 116. Plaintiffs have suffered damages by reason of Defendants' violations,
24 including, without limitation, violation of the right of privacy, and disclosure of personal
25 information that is otherwise private, confidential, and not of public record.

26 117. As a result of Defendants' conduct, Plaintiffs have suffered loss and damages
27 during any one-year period aggregating at least \$5,000 in real economic damages.
28

THIRD CAUSE OF ACTION
VIOLATION OF THE CALIFORNIA COMPREHENSIVE DATA ACCESS AND
FRAUD ACT,
CAL. PEN CODE. § 502
(All California Plaintiffs Against All Defendants)

118. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

119. Cal. Penal Code § 502 provides: “For purposes of bringing a civil or a criminal action under this section, a person who causes, by any means, the access of a computer, computer system, or computer network in one jurisdiction from another jurisdiction is deemed to have personally accessed the computer, computer system, or computer network in each jurisdiction.” Smart phone devices with the capability of using web browsers are “computers” within the meaning of the statute.

120. Defendants violated Cal. Penal Code § 502(c)(2) by knowingly accessing and without permission taking, copying, analyzing, and using Plaintiffs’ “computer” browsing data.

121. Defendants were unjustly enriched when it surreptitiously acquired Plaintiffs’ sensitive and valuable personal information without permission and used it for Defendants’ financial benefit.

122. Plaintiffs retain a stake in the profits Defendants earned from their personal data, as under the circumstances, it is unjust for the Defendants to retain those profits.

123. Defendants accessed, copied, took, analyzed, and used data from Plaintiffs’ computers in and from the State of California, where the Defendants used servers that provided communication links between Plaintiffs’ devices and the Defendants’, which allowed the Defendants to access and obtain Plaintiffs’ data. Accordingly, the Defendants caused the access of Plaintiffs’ computers from California, and is therefore deemed to have accessed Plaintiffs’ computers in California.

124. As a direct and proximate result of the Defendants’ unlawful conduct within the meaning of Cal. Penal Code § 502, the Defendants have caused actual losses to Plaintiffs and has been unjustly enriched in an amount to be proven at trial.

1 125. Plaintiffs seek compensatory damages and/or disgorgement of profits in an
2 amount to be proven at trial.

3 126. Plaintiffs are entitled to exemplary damages pursuant to Cal. Penal Code §
4 502(e)(4) because the Defendants' violations were willful and, upon information and belief,
5 the Defendants are guilty of oppression, fraud, or malice as defined in Cal. Civil Code § 3294.

6 127. Plaintiffs are also entitled to recover their reasonable attorneys' fees pursuant
7 to Cal. Penal Code § 502(e).

8 **FOURTH CAUSE OF ACTION**
9 **VIOLATION OF THE CALIFORNIA INVASION OF PRIVACY ACT,**
10 **CAL. PENAL CODE §§ 630, ET SEQ.**
11 **(All California Plaintiffs Against All Defendants)**

12 128. Plaintiffs reallege and incorporate by reference, as through fully set forth
13 herein, each and every allegation set forth above.

14 129. The California Invasion of Privacy Act ("CIPA") is codified at Cal. Penal Code
15 §§630 to 638.

16 130. The California Legislature enacted the California Invasion of Privacy Act, Cal.
17 Penal Code §§ 630, et seq. ("CIPA") finding that "advances in science and technology have
18 led to the development of new devices and techniques for the purpose of eavesdropping upon
19 private communications and that the invasion of privacy resulting from the continual and
20 increasing use of such devices and techniques has created a serious threat to the free exercise
21 of personal liberties and cannot be tolerated in a free and civilized society." *Id.* § 630. Thus,
22 the intent behind CIPA is "to protect the right of privacy of the people of this state." *Id.*

23 131. Cal. Pen. Code § 631(a) imposes liability upon: "Any person who, by means of
24 any machine, instrument, or contrivance, or in any other manner . . . willfully and without the
25 consent of all parties to the communication, or in any unauthorized manner, reads, or attempts
26 to read, or to learn the contents or meaning of any message, report, or communication while
27 the same is in transit or passing over any wire, line, or cable, or is being sent from, or received
28 at any place within this state; or who uses, or attempts to use, in any manner, or for any
purpose, or to communicate in any way, any information so obtained, or who aids, agrees

1 with, employs, or conspires with any person or persons to lawfully do, or permit, or cause to
2 be done any of the acts or things mentioned above in this section . . .”

3 132. Cal. Pen. Code § 632(a) imposes liability upon: “A person who, intentionally
4 and without the consent of all parties to a confidential communication, uses an electronic
5 amplifying or recording device to eavesdrop upon or record the confidential communication,
6 whether the communication is carried on among the parties in the presence of one another or
7 by means of a telegraph, telephone, or other device, except a radio.”

8 133. Plaintiffs have an expectation of privacy in their private and personally
9 identifiable data and information, and they exercised a reasonable expectation of privacy
10 concerning the transmission of such information.

11 134. Under either section of the CIPA quoted above, a defendant must show it had
12 the consent of all parties to a communication. However, without the consent of either the
13 sender or recipient, Defendants intercepted and recorded messages and electronic
14 communications transmitted using the Temu App/platform without Plaintiffs’ consent or
15 knowledge.

16 135. Defendants knowingly and intentionally used and continue to use the Temu
17 App/platform and associated servers and other computer devices, to read, attempt to read,
18 learn, attempt to learn, eavesdrop, record, and/or use electronic communications containing
19 private data from Plaintiffs, these electronic communications were and are in transit,
20 originating in or sent to California, and without the authorization or consent of Plaintiffs.

21 136. Acts by Defendants in violation of the CIPA occurred in the State of California
22 because those acts resulted from business decisions, practices, and operating policies that
23 Defendants developed, implemented, and utilized in the State of California and which are
24 unlawful and constitute criminal conduct in the state of California.

25 137. Defendants profited and continue to profit in the State of California as a result
26 of these repeated and systemic violations of CIPA. Defendants’ unlawful conduct, which
27 occurred in the State of California, harmed and continues to harm Plaintiffs.

28 138. The communications intercepted by Defendants include “contents” of
electronic communications exchanged between Plaintiffs, on the one hand, and third parties
through shared communications.

1 139. Defendants recorded and stored such private message content, separate from
2 the process of transmitting the message to the intended recipient.

3 140. Defendants purposefully designed the Temu app/platform in a way that they
4 knew Plaintiffs' privacy rights would be violated, in that their messages would be unlawfully
5 intercepted and recorded.

6 141. Under Cal. Penal Code § 631(a) The following constitute "machine[s],
7 instrument[s], or contrivance[s]: (a) Plaintiff's personal computing devices; (b) the computer
8 codes and programs Defendants used to effectuate the interception of communications; (c)
9 Defendants' servers; (d) and the plan Defendants carried out to effectuate the interception of
the communications that were exchanged with Plaintiffs'.

10 142. In the alternative, Defendants' purposeful scheme that facilitated its
11 interceptions falls under the broad statutory catch-all category of "any other manner".

12 143. The private data Defendants collected constitutes "confidential
13 communications," as that term is used in Cal. Pen. Code § 632(a), because Plaintiffs have an
14 objectively reasonable expectation of privacy in their communications.

15 144. Plaintiffs did not consent to Defendants' interception, disclosure, and/or use of
16 their electronic communications.

17 145. The unauthorized interceptions described herein are not covered by any
18 business exception because the interceptions were not required to facilitate the
communications.

19 146. Plaintiffs have suffered actual losses by reason of these violations, including,
20 but not limited to, violation of their rights to privacy and loss of value in their personally
21 identifiable information.

22 147. Plaintiffs have a property right in their private communications, videos and
23 messages such that interception of those messages violated those rights and therefore caused
them injuries and damages.

24 148. Plaintiffs suffered further economic injury as a result of Defendants' unlawful
25 and unauthorized interceptions and recordings of communications. The battery, memory, CPU
26 and bandwidth of their cellular devices have been compromised and they incurred additional
27 data and electricity costs that they otherwise would not have.

1 149. Pursuant to Cal. Pen. Code § 637.2, Plaintiffs have been injured by the
2 violations of Cal. Pen. Code §§ 631, 632, and each seeks damages for the greater of \$5,000 or
3 three times the amount of actual damages, as well as injunctive or other equitable relief.

4 150. Plaintiffs have also suffered irreparable injury from these unauthorized acts of
5 disclosure; their personal, private, and sensitive data have been collected, viewed, accessed,
6 stored, and used by Defendants, and have not been destroyed. Due to the continuing threat of
7 such injury, Plaintiffs have no adequate remedy at law. Plaintiffs are entitled to injunctive
8 relief.

9 **FIFTH CAUSE OF ACTION**

10 **VIOLATION OF THE CALIFORNIA UNFAIR COMPETITION LAW,**

11 **CAL. BUS. & PROF. CODE. §§ 17200 ET SEQ.**

12 **(All California Plaintiffs Against All Defendants)**

13 151. Plaintiffs reallege and incorporate by reference, as through fully set forth
14 herein, each and every allegation set forth above.

15 152. California Unfair Competition Law (UCL) prohibits any “unlawful, unfair, or
16 fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising.”
17 Cal. Bus. & Prof. Code § 17200.

18 153. The Defendants’ “unlawful” acts and practices include its violation of the
19 Federal Wiretap Act, 18 U.S.C. § 2510, et seq.; the California Invasion of Privacy Act, Cal.
20 Penal Code §§ 631 and 632; the California Computer Data Access and Fraud Act, Cal. Penal
21 Code § 502, et seq.; and Invasion of Privacy.

22 154. The Defendants’ conduct violated the spirit and letter of these laws, which
23 protect property, economic and privacy interests and prohibit unauthorized disclosure and
24 collection of private communications and personal information.

25 155. The Defendants’ “unfair” acts and practices include its violation of property,
26 economic and privacy interests protected by the statutes identified above.

27 156. Plaintiffs have suffered injuries-in-fact, including the loss of money and/or
28 property as a result of the Defendants’ unfair and/or unlawful practices. Plaintiffs have
suffered unauthorized disclosure and taking of their personal information which has value, as
demonstrated by its use and sale by the Defendants’.

157. Plaintiffs have suffered harm in the form of diminution of the value of their private and personally identifiable data and content.

158. The Defendants' actions caused damage to, and loss of, Plaintiffs' property right to control the dissemination and use of their personal information and communications.

159. The Defendants reaped unjust profits and revenues in violation of the UCL. This includes the Defendants profits and revenues from their targeted-advertising. Plaintiffs seek restitution and disgorgement of these unjust profits and revenues.

SIXTH CAUSE OF ACTION

VIOLATION OF THE CALIFORNIA FALSE ADVERTISING LAW,

CAL BUS. & PROF. CODE. §§ 17500 ET SEQ.

(All California Plaintiffs Against All Defendants)

160. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

161. California's False Advertising Law (the "FAL") – Cal. Bus. & Prof. Code §§ 17500, et seq. – prohibits "any statement" that is "untrue or misleading" and made "with the intent directly or indirectly to dispose of" property or services.

162. Defendants' advertising and other statements regarding the Temu App/platform are, and at all relevant times were, highly misleading.

163. Defendants do not disclose at all, or do not meaningfully disclose, the private and personally identifiable data and content – including user/device identifiers, biometric identifiers and information, electronic communications, and private data and information – that they have collected and transferred from the Plaintiffs' devices and computers. Nor do Defendants disclose that the Plaintiffs' private and personally identifiable data and content have been made available to the Chinese Communist Party and foreign government entities.

164. Reasonable consumers, like the Plaintiffs', are – and at all relevant times were – likely to be misled by Defendants' misrepresentations.

165. Reasonable consumers lack the means to verify Defendants' representations concerning their data and content collection and use practices, or to understand the fact or significance of Defendants' data and content collection and use practices.

1 166. Plaintiffs have been harmed and have suffered economic injury as a result of
2 Defendants' misrepresentations. First, they have suffered harm in the form of diminution of
3 the value of their private and personally identifiable data and content.

4 167. Plaintiffs have a property interest in the personally identifiable information and
5 other personal information taken by Defendants. There is a market for such data and Plaintiffs
6 have been deprived of the money or property they would have received for the data
improperly collected by Defendants.

7 168. Second, they have suffered harm to their devices. The battery, memory, CPU
8 and bandwidth of such devices have been compromised, and as a result the functioning of
9 such devices has been impaired and slowed.

10 169. Third, they have incurred additional data usage and electricity costs that they
11 would not otherwise have incurred.

12 170. Fourth, they have suffered harm as a result of the invasion of privacy stemming
13 from Defendants' accessing their private and personally identifiable data and content –
14 including user/device identifiers, biometric identifiers and information, and other private data
and information.

15 171. Defendants, as a result of their misrepresentations, have been able to reap
16 unjust profits and revenues. This includes Defendants' profits and revenues from their
17 targeted advertising, revenue from the sale of goods on the Temu App/platform, and increased
18 consumer demand for and use of Defendants' other products and services. Plaintiffs seek
19 restitution and disgorgement of these unjust profits and revenues.

20 172. Unless restrained and enjoined, Defendants will continue to misrepresent their
21 private and personally identifiable data and content collection and use practices and will not
22 recall and destroy Plaintiffs' wrongfully collected private and personally identifiable data and
23 content. Accordingly, injunctive relief is appropriate.

24 **SEVENTH CAUSE OF ACTION**
25 **VIOLATION OF THE RIGHT OF PRIVACY UNDER THE CALIFORNIA**
26 **CONSTITUTION**
27 **(All California Plaintiffs Against All Defendants)**
28

1 173. Plaintiffs reallege and incorporate by reference, as through fully set forth
2 herein, each and every allegation set forth above.

3 174. The California Constitution and Common Law protect consumers from
4 invasions of their privacy and intrusion upon seclusion.

5 175. The right to privacy in California's constitution creates a right of action against
6 private entities such as the Defendants.

7 176. Plaintiffs' expectation of privacy is deeply enshrined in California's
8 Constitution. Article I, section 1 of the California Constitution provides: "All people are by
9 nature free and independent and have inalienable rights. Among these are enjoying and
10 defending life and liberty, acquiring, possessing, and protecting property and pursuing and
obtaining safety, happiness, and privacy."

11 177. The phrase "and privacy" was added by the "Privacy Initiative" adopted by
12 California voters in 1972. After voters approved a proposed legislative constitutional
13 amendment designated as Proposition 11. Critically, the argument in favor of Proposition 11
14 reveals that the legislative intent was to curb businesses' control over the unauthorized
collection and use of consumers' personal information, stating:

15 The right of privacy is the right to be left alone...It prevents
16 government and business interests from collecting and stockpiling
17 unnecessary information about us and from misusing information
18 gathered for one purpose in order to serve other purposes or to
embarrass us. Fundamental to our privacy is the ability to control
19 circulation of personal information. This is essential to social
relationships and personal freedom. BALLOT PAMP., PROPOSED
STATS. & AMENDS. TO CAL. CONST. WITH ARGUMENTS TO
VOTERS, GEN. ELECTION *26 (Nov. 7, 1972).

20 178. The principal purpose of this constitutional right was to protect against
21 unnecessary information gathering, use, and dissemination by public and private entities,
22 including the Defendants.

23 179. To plead a California constitutional privacy claim, "a plaintiff must show an
24 invasion of (1) a legally protected privacy interest; (2) where the plaintiff had a reasonable
25 expectation of privacy in the circumstances; and (3) conduct by the defendant constituting a
26 serious invasion of privacy."

27 180. The Defendants collected the data with the intent to intrude upon users'
28 seclusion and invade their constitutional privacy.

1 181. As described herein, The Defendants have intruded upon the following legally
2 protected privacy interests:

- 3 a. The California Invasion of Privacy Act as alleged herein;
4 b. The California Comprehensive Data Access and Fraud Act as alleged
5 herein;
6 c. A Fourth Amendment right to privacy contained on personal computing
7 devices, including web-browsing history, as explained by the United States
8 Supreme Court in the unanimous decision of *Riley v. California*;
9 d. The California Constitution, which guarantees Californians the right to
privacy;

10 182. The Defendants' Privacy Policy and policies referenced therein and other
11 public promises it made not to track or intercept Plaintiffs' communications or access their
12 computing devices and web-browsers while in a private browsing session.

13 183. Plaintiffs had a reasonable expectation of privacy under the circumstances in
14 that Plaintiffs could not reasonably expect the Defendants would commit unlawful and
15 offensive acts in violation of federal and state civil and criminal laws, and the Defendants
would and do secretly track their communications or access their computing devices.

16 184. The Defendants' actions constituted a serious invasion of privacy in that it,
17 invaded a zone of privacy protected by the Fourth Amendment, namely the right to privacy in
18 data contained on personal computing devices, including conversations, and other personal
19 data.

20 185. Violated dozens of state criminal laws on wiretapping and invasion of privacy,
21 including the Federal Wire Tap Law and The California Invasion of Privacy Act;

22 186. Invaded the privacy rights of hundreds of millions of consumers (including
23 Plaintiffs) without their consent.

24 187. Constituted the unauthorized taking of valuable information from hundreds of
25 millions of consumers (including Plaintiffs) through deceit.

26 188. Further violated Plaintiffs' reasonable expectation of privacy via the
27 Defendants' review, analysis, and subsequent use of Plaintiffs' private conversations and data
28 that Plaintiffs considered sensitive and confidential.

189. The surreptitious and unauthorized tracking of the internet communications of Plaintiffs, constitutes an egregious breach of social norms that is highly offensive.

190. The Defendants' invasion of privacy into Plaintiffs' internet communications and their computing devices, was highly offensive to a reasonable person in that they violated federal and state criminal and civil laws designed to protect individual privacy and against theft.

191. Following the Defendants' unauthorized interception of the sensitive and valuable personal information, the subsequent analysis and use of that private data to develop and refine profiles on Plaintiffs violated their reasonable expectations of privacy.

192. Wiretapping and surreptitious recording of communications is highly offensive behavior.

193. The Defendants lacked a legitimate business interest in tracking users while browsing the internet in incognito mode without their consent.

194. Plaintiffs have been damaged by the Defendants' invasion of their privacy and they are entitled to just compensation and injunctive relief.

EIGHTH CAUSE OF ACTION
INTRUSION UPON SECLUSION

(All California Plaintiffs Against All Defendants)

195. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

196. Plaintiffs asserting claims for intrusion upon seclusion must plead: "(1) intrusion into a private place, conversation, or matter; (2) in a manner highly offensive to a reasonable person."

197. In carrying out its scheme to track and intercept Plaintiffs' communications while they were using the Temu App/platform, the Defendants violated Plaintiffs' rights to privacy and seclusion.

198. The Defendants intentionally intruded upon Plaintiffs' solitude or seclusion in that it effectively placed itself in the middle of conversations to which it was not an authorized party.

199. The Defendants' tracking and interception were not authorized by Plaintiffs, the Websites, and/or any other third party with which they were communicating with.

200. The Defendants' intentional intrusion into their internet communications and their computing devices was highly offensive to a reasonable person in that they violated federal and state criminal and civil laws designed to protect individual privacy and against theft.

201. The taking of personally identifiable information from Plaintiffs through deceit is highly offensive behavior.

202. Secret monitoring of private web browsing is highly offensive behavior.

203. Wiretapping and surreptitious recording of communications is highly offensive behavior.

204. Plaintiffs have been damaged by the Defendants' invasion of their privacy and are entitled to reasonable compensation including but not limited to disgorgement of profits related to the unlawful internet tracking.

PRAYER

WHEREFORE, Plaintiffs respectfully requests that this court:

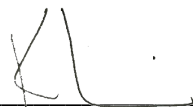
- a. Entry of an order declaring that Defendants' actions, as set forth in this Complaint, violate the law;
- b. That the Plaintiffs be awarded all costs and litigation expenses incurred in bring this action;
- c. For reasonable attorneys' fees and costs incurred in bringing this action;
- d. A judgment in favor of Plaintiffs awarding them appropriate monetary relief, including actual and statutory damages, including statutory damages under the CDAFA, punitive damages, attorney fees, expenses, costs, and such other and further relief as is just and proper.
- e. Entry of judgment in favor of Plaintiffs awarding compensatory damages, including statutory damages where available, to Plaintiffs and each of them, against Defendants for all damages sustained as a result of

- 1 Defendants' wrongdoing, in an amount to be proven at trial, including
2 interest thereon;
- 3 f. Award Plaintiffs pre- and post-judgment interest;
- 4 g. Award Plaintiffs their costs of suit, including reasonable attorneys' fees and
5 expenses;
- 6 h. Order disgorgement of all of Defendants' profits that were derived, in whole
7 or in part, from the Defendants' interception and subsequent use of
8 Plaintiffs' communications;
- 9 i. Award punitive damages in an amount to prevent Defendants' further
10 misconduct;
- 11 j. Entry of a permanent injunction, including public injunctive relief, enjoining;
- 12 k. Grant Plaintiffs such further relief as the Court deems appropriate. Plaintiffs
13 and each of them seek an award of actual damages to be determined at trial.
14

15 **JURY TRIAL DEMAND**

16 Plaintiffs demand a trial by jury of all issues so triable.
17

18
19 POTTER HANDY, LLP

20 

21 Dated: March 14, 2025

22 _____
23 Krista Hemming
24 Attorneys for Plaintiffs
25
26
27
28

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Attorneys for Plaintiffs

COMPLAINT: Attachment 1

LAURA COLES, ET AL., V. WHALECO, INC., d/b/a TEMU, ET AL.,

2	Deborah Anderson	AK
3	Jason Varnes	AK
4	Terri Hoag	AK
5	Vivian Vanderpool	AK
6	Alexus Grimmett	AL
7	Amanda Wallace	AL
8	Ashley Cantey	AL
9	Astareski Lee	AL
10	Bonnie Polk	AL
11	Brenda Peters	AL
12	Carolyn Knight	AL
13	Carolyn Merritt	AL
14	Curtis Palmer	AL
15	Daniel Fraley	AL
16	Deborah Wilder	AL
17	Debra Alexander	AL
18	Doll Miles	AL
19	Elizabeth Tennyson	AL
20	Emma Hudson	AL
21	Gussie Springfield	AL
22	James Jackson	AL
23	Joan Cluxton	AL
24	Joyce Bowell	AL
25	Kimberly Smith	AL
26	Lacy Blackston	AL
27	Martin Barber	AL
28	Penny Heidemann	AL
29	Penny Henshaw	AL
30	Phyllis Swanson	AL
31	Rebecca Reeves	AL
32	Reshonda Pringle	AL
33	Rhonda Parker	AL
34	Robert Blackwell	AL

35	Ruthie Walton Taylor	AL
36	Samantha Brown	AL
37	Tina Hall	AL
38	Vanessa Wynn	AL
39	Vinnie Hinkle	AL
40	Barbara Bartlett	AR
41	Brenda Tahiri	AR
42	Caroline Acosta	AR
43	Christopher Goodner	AR
44	Cornise Gillespie	AR
45	Darla Massey	AR
46	Deborah Cox	AR
47	Decarlo Denham	AR
48	Evelyn Beck	AR
49	Gwendolyn Wilson	AR
50	Holly Gertsch	AR
51	Jacqueline Spells	AR
52	Karen Kellar	AR
53	Kristina Whitaker	AR
54	Lakisha Trimble	AR
55	Nancy Schutte	AR
56	Rosetta Rucker	AR
57	Timmy Malone	AR
58	Alexis Jackson	AZ
59	Alfred Lewis	AZ
60	Amber Reeder	AZ
61	Carol Collins	AZ
62	Deci Vento	AZ
63	Diana Cluster	AZ
64	Jade Gable	AZ
65	James Fyffe	AZ
66	Jason Slayton	AZ
67	Jeanmarie Magnotti	AZ

68	Jerry Myler	AZ
69	Joann Gwynn	AZ
70	Lynn Farrow	AZ
71	Micheal Schelin	AZ
72	Michelle Cooper	AZ
73	Monica Bermudez	AZ
74	Ryan Krause	AZ
75	Shawnee Wright	AZ
76	Stella Villa	AZ
77	Tonetta Tabatabai	AZ
78	Tracy Jones	AZ
79	Victoria Pearson	AZ
80	Alfredo Castro	CA
81	Altina Chu	CA
82	Ambyr Tilley	CA
83	Ana Lopez	CA
84	Andrea Smith	CA
85	Ashok Prasad	CA
86	Bailey Decarlo	CA
87	Barbara Maxwell	CA
88	Betty Self	CA
89	Bonnie Lopez	CA
90	Catherine Feather	CA
91	Charlie Harrison	CA
92	Christine Bell	CA
93	Christopher Dickerson	CA
94	Cindy Mancilla	CA
95	Cynthia Nesbit	CA
96	Danny Malone	CA
97	David Legrand	CA
98	Dawn Benford	CA
99	Debbie Ward	CA
100	Deja Scott	CA
101	Dwaina Weston	CA
102	Ebony Kennedy	CA
103	Eva Miller	CA
104	Fernando Medina III	CA
105	Gabriel Barrios	CA
106	Glynis Phillips	CA
107	Helen Dalton	CA
108	Jacquette Gainers	CA
109	James Castro	CA
110	Jerry Clark	CA
111	Jerry Dunnam	CA

112	Jesenia Garcia	CA
113	John Polischeck	CA
114	Jorge Real	CA
115	Joseph Hulsey	CA
116	Karen Cromartie	CA
117	Kellye Duckett	CA
118	Kendall Heisel	CA
119	Lakisha Guerra	CA
120	Laura Coles	CA
121	Laura Eaton	CA
122	Lisa Delgado	CA
123	Lori Martinez	CA
124	Manuel Guillen	CA
125	Marcellus Robbins	CA
126	Mark Erban	CA
127	Marnie Evans	CA
128	Michael Johnson	CA
129	Michele Webber	CA
130	Michelle Medina	CA
131	Miguel Munguia	CA
132	Nicholas Shinnette	CA
133	Paul Stevenson	CA
134	Renee Pollock	CA
135	Rick Bustamante	CA
136	Rosa Aguilera	CA
137	Rudy Nava	CA
138	Sandra Burton	CA
139	Sherry Bielma	CA
140	Steve Robles	CA
141	Tacy Bradley	CA
142	Tamasha Austin	CA
143	Terri Castro	CA
144	Tim Burman	CA
145	Trudy Taylor	CA
146	Veronique Belhassen	CA
147	William Phan	CA
148	Cindy Finley	CO
149	Cindy Rud	CO
150	Daniel McMullen	CO
151	Devan Wright	CO
152	Jamie Roark	CO
	Melissa Moreno	
153	Jaramillo	CO
154	Misty Fritz	CO
155	Paula Jones	CO

156	Rose Vicente	CO
157	Travis Goodwin	CO
158	Vespa Nicole Pelaez	CO
159	Vickie Dotey	CO
160	Brenda Peterson	CT
161	Emarie Hagen	CT
162	Robert Karash	CT
163	Sonya Sherrod	CT
164	Jennifer Butler	DC
165	Warren Williams	DC
166	Albert Batts	FL
167	Amber McDaniel	FL
168	Amy Brady	FL
169	Amy Holman	FL
170	Amy Smith	FL
171	Andrea B. Terlunen	FL
172	Angela Eluett-Martin	FL
173	Anglea Ferro	FL
174	Anita Simmons	FL
175	Barronelle Lewis	FL
176	Crystal Nason	FL
177	Cynthia Babcock	FL
178	Darrell Vinson	FL
179	Deborah Wilcox	FL
180	Diana Corcino	FL
181	Ed Fields	FL
182	Gary Cole	FL
183	Gregory Sonaco	FL
184	Harold Myers	FL
185	James Ezell Jr.	FL
186	James Flandera	FL
187	James Pugh	FL
188	Jeffrey Delagarza	FL
189	John Reynolds	FL
190	Justin Rapaport	FL
191	Kismet Messer	FL
192	Lisa Shafer	FL
193	Mary Favetta	FL
194	Michele Davalos	FL
195	Michelle Heisner	FL
196	Mozella Rolle	FL
197	Nancy Macintyre	FL
198	Natalie Herrmann	FL
199	Nicole Waldron	FL

200	Otis Mattox	FL
201	Rebeccanne Beauchesne	FL
202	Rhonda Maupin	FL
203	Robert Benson	FL
204	Ryan Leite	FL
205	Sahgun Skerrett	FL
206	Sandra Maldonado-Ross	FL
207	Sarah Landry	FL
208	Scott Nystrom	FL
209	Sheri Rogers	FL
210	Shirley Godin	FL
211	Steven Day	FL
212	Thomas Mitchell	FL
213	Thomas Reed	FL
214	Tonya Anthony	FL
215	Valerie Osborn	FL
216	Victoria Nelson	FL
217	Wanda Brown	FL
218	Wilma Oglesby	FL
219	Allison Foskey	GA
220	Antonio Pinero	GA
221	Brandy Kemp	GA
222	Deleisa Daniels	GA
223	Donelle Crawford	GA
224	Harris Dugger	GA
225	Helena Harbuck	GA
226	James Hicks	GA
227	Janet Smith	GA
228	Janice Alston	GA
229	Jeffrey Hill	GA
230	Jeremy Morrison	GA
231	Jonathon McCalley	GA
232	Kenneth Guthrie	GA
233	Kevin Tumlin	GA
234	Kimia Ramseur	GA
235	Kisa Swain	GA
236	Lasonja Ingram	GA
237	Latanya Perryman	GA
238	Leon Montgomery	GA
239	Lynn Jacobi	GA
240	Mary Dowd	GA
241	Michelle Guthrie	GA
242	Michelle Hunter	GA
243	Priscilla Bigby	GA

244	Rodney Haynes	GA
245	Sarah Dowdell	GA
246	Shari Purdue	GA
247	Sherri Mainhart	GA
248	Teresa Thomason	GA
249	Tyna Carter	GA
250	Vera Short	GA
251	Becky Wyatt	IA
252	Debra Ommen	IA
253	Diann Curfman	IA
254	Donald Fain	IA
255	Jeff Lyons	IA
256	Lorrie Honeycutt	IA
257	Mark Essing	IA
258	Victoria Keithahn	IA
259	Brandi Au	ID
260	Cindy Venglar	ID
261	Kenneth Johnson	ID
262	Adicia McNeese	IL
263	Alice Coffey	IL
264	Allen Taylor	IL
265	Amber Plack	IL
266	Ana Estrada	IL
267	Angela Gardner	IL
268	Angie Johnson	IL
269	Anna Dover	IL
270	Annette Day	IL
271	Anthony Wolak	IL
272	Arishanta Bibbs	IL
273	Athena Carter	IL
274	Barney Bajkowski	IL
275	Bernita London	IL
276	Brigitte Bailey	IL
277	Brittany Owens	IL
278	Candace Leonetti	IL
279	Carrie Bronson	IL
280	Catherine Ramirez	IL
281	Cecil Carter	IL
282	Chandra Lee	IL
283	Christopher Wilborn	IL
284	Clyde Moore	IL
285	Coleem Pheiffer	IL
286	Connie Jacobs	IL
287	Cora Lubke	IL

288	Crystal McClure	IL
289	Cynthia Acosta	IL
290	Dan Ramirez	IL
291	Dana Werner	IL
292	Darren Stolte	IL
293	Debbie Stanton	IL
294	Denise Fishman	IL
295	Deon Southerland	IL
296	Derek Fuiten	IL
297	Donna Nelson	IL
298	Doris Montgomery	IL
299	Edgardo Rodriguez	IL
300	Edwin Cobb	IL
301	Elijah Williams	IL
302	Elisa Jones	IL
303	Emsy Harris	IL
304	Erma Scott	IL
305	Ernesto Brooks	IL
306	Evelyn Gardner	IL
307	Evelyn Otano	IL
308	Felecia Grubbs	IL
309	Gabrielle Griffin	IL
310	Gamalier Cruz	IL
311	Gena Wilson	IL
312	George Craig	IL
313	George Ortiz	IL
314	Greg Mitchell	IL
315	Gwenda Johnson	IL
316	Heidi Renken	IL
317	Helen Jones	IL
318	Iesha Polk	IL
319	Jamie Miller	IL
320	Janet Semelbauer	IL
321	Janika Taylor	IL
322	Jaye Burke	IL
323	Jessica Brassfield	IL
324	Jo Hollimon	IL
325	Jocelyne Townsend	IL
326	John Jones	IL
327	John Pruittjones	IL
328	Jose Valdez	IL
329	Joseph Myrick	IL
330	Joyce Lasenby	IL
331	Juliane Goeringer	IL

332	Julie Ingles	IL
333	Julie Stevenson	IL
334	Justin Pultar	IL
335	Juwana Buckhanon	IL
336	Karen A McMurtry	IL
337	Karen Burney	IL
338	Karen Gillen	IL
339	Kathleen Kucharski	IL
340	Kathryn Nelson	IL
341	Kathy Richard	IL
342	Katy West	IL
343	Kelly Emmons	IL
344	Kenneth Leftridge	IL
345	Kenneth Shewmake	IL
346	Kimberly Cline	IL
347	Kitty Denton	IL
348	Krista Kilgore	IL
349	Larry Baldwin	IL
350	Laurie Allison	IL
351	Lawanda Rouser	IL
352	Lawrence Saunders	IL
353	Lester Fritz	IL
354	Maisha Scott	IL
355	Marcus Griffin	IL
356	Marianne Ajani	IL
357	Marquette Moore	IL
358	Maruccina Menicucci	IL
359	Marvella Nuby	IL
360	Mary Benak	IL
361	Mary Nitz	IL
362	Mary Olson	IL
363	Matthew Wallenmeyer	IL
364	Maurice Jones	IL
365	Melanie Farmer	IL
366	Melissa Joiner	IL
367	Melissa Labruyere	IL
368	Melvin Alexander	IL
369	Michael Cook	IL
370	Monterius Jones	IL
371	Nancy Dudock	IL
372	Natasha Pennington	IL
373	Nathaniel Leu	IL
374	Nicole Collins	IL
375	Nicole Marston	IL

376	Nina V Clay	IL
377	Patricia Fedor	IL
378	Patricia Stensrud	IL
379	Paul Mitchell	IL
380	Priscilla Belcher	IL
381	Rachel Click	IL
382	Rahsaan Edwards	IL
383	Rebecca Wilson	IL
384	Richard Cardenas	IL
385	Rickey Webster	IL
386	Robert Cooper Jr.	IL
387	Ronald Green	IL
388	Ruth Wallace	IL
389	Samantha Costello	IL
390	Sammy McKinney	IL
391	Sandra Jones	IL
392	Sara Ishmael	IL
393	Sarah Evenhouse	IL
394	Scott Ross	IL
395	Shanetta Newton	IL
396	Sharon Adams	IL
397	Sharon Anderson	IL
398	Shawn Kirby	IL
399	Sherri Gallo	IL
400	Shunette Goree	IL
401	Sondra Shaughnessy	IL
402	Stanley Marciniak	IL
403	Stephanie Moore	IL
404	Steven Jackson	IL
405	Sunshine Hale	IL
406	Tabina Gipson	IL
407	Tajmah Payton	IL
408	Tammy Johnson	IL
409	Tasha Leigh	IL
410	Tasha Spoonmore	IL
411	Teddi Skelton	IL
412	Theresa Brosman	IL
413	Tiffany Bryant	IL
414	Timothy Jones	IL
415	Tonja Jefferson	IL
416	Tracey Bruner	IL
417	Tracie Phelps	IL
418	Tracie Thompson	IL
419	Tracy Slovinski	IL

420	Tracy Williams	IL
421	Trevor Williams	IL
422	Ulana Jaroszenko-Murray	IL
423	Velessia Washington	IL
424	Vera Waters	IL
425	Vito Delre	IL
426	Wendy Phillips	IL
427	William Gratto	IL
428	William Meany	IL
429	Audrey La Salle	IN
430	Chantelle Smith	IN
431	Daniel Anderson	IN
432	Donald E Smith	IN
433	Ella Anderson	IN
434	Eric Lewis	IN
435	Jackie Hankins	IN
436	Janice Grell	IN
437	Jeremy Evans	IN
438	Kevin Scott	IN
439	Kimberly Brooks	IN
440	Laura Martinez	IN
441	Lisa Trammell	IN
442	Mark Rogers Sr.	IN
443	Mary Brooks	IN
444	Nicole Niendorf	IN
445	Patricia Sponcy	IN
446	Paula Burris	IN
447	Rebecca Holt	IN
448	Shannon Cady	IN
449	Sharae Roosa	IN
450	William Richie	IN
451	Carl Moore	KS
452	Cindy Mcfadden	KS
453	Jacinda Nail	KS
454	Sharon Brillhart	KS
455	Teresa Chateaufneuf	KS
456	Vickie Wiley	KS
457	Andra Webb	KY
458	Anthony Sharp	KY
459	Becky Estes	KY
460	Blondell Jones	KY
461	Cynthia Starks	KY
462	Daniel Criss	KY
463	Deborah Hrrington	KY

464	Donald Grinnell	KY
465	Janie Devine	KY
466	Jeremy Wilson	KY
467	Johnny Pinkney	KY
468	Jonathan Butler	KY
469	Juanita Burton	KY
470	Laura Schedko	KY
471	Louis Neal	KY
472	Lowell Cordial	KY
473	Patricia Epperson	KY
474	Peggy Dykes	KY
475	Rhonda Pike	KY
476	Rosa Hampton	KY
477	Rosanna Lawson	KY
478	Sarah Reid	KY
479	Tammy Williams	KY
480	Tim Greenwell	KY
481	Timothy Hubbard	KY
482	Tina Pettis	KY
483	Tonya McIntyre	KY
484	Cathy Kilgore	LA
485	Chad Aaron	LA
486	Deaidra Louis	LA
487	DeAngel Golden Allen	LA
488	Debra Larkins	LA
489	Farrell Smith	LA
490	Gwendolyn Houston	LA
491	Jackie Guillot	LA
492	Nathaniel Andrus	LA
493	Sherry Leonard	LA
494	Tawanda Pollard	LA
495	Windy Blanchard	LA
496	Bonnie Lucia	MA
497	Dale Casper	MA
498	James Sablack	MA
499	Joe Aiello	MA
500	Krista Roy	MA
501	Margaret Conrad	MA
502	Martha Ayala	MA
503	Miguel Colon	MA
504	Nancy Conant	MA
505	Pedro Rios	MA
506	Rachael Daley-Otto	MA
507	Richard Remieres	MA

508	Rita Leblanc	MA
509	Roland Bouchard	MA
510	Sharwein Walker	MA
511	Amy Wildberger	MD
512	Arthur Farmer	MD
513	Brian Miles	MD
514	Charles Grant	MD
515	Dale Warner	MD
516	Eric Smothers	MD
517	Katrina Barnes	MD
518	Latanya Johnson	MD
519	Melissia Burns	MD
520	Robin Thomas	MD
521	Cynthia Bedard	ME
522	Rayna Decheck	ME
523	Abrien Swires	MI
524	Amy McIntyre	MI
525	Barbara Jones	MI
526	Ben Amrhein	MI
527	Cheryl Ford	MI
528	Cynthia Soper	MI
529	Delmarco Harris-Lackey	MI
530	Donna Gosa	MI
531	Harry Jackson	MI
532	Jennifer Peterson	MI
533	Jessica Gotschall	MI
534	Kimberly Lannoo	MI
535	Kimberly Smith	MI
536	Latasha Capers	MI
537	Lewis Sokolowski	MI
538	Nicole Jaquinde	MI
539	Rosemarie Devora	MI
540	Susan Marino	MI
541	Tonya Christian	MI
542	Tracy Sudduth	MI
543	Velma Cross	MI
544	Virgie George	MI
545	Dale Trudell	MN
546	Daniel Bigley	MN
547	Daryl Boettcher	MN
548	Jan Dunfee	MN
549	Jennifer Schuchard	MN
550	Justyn Ostby	MN
551	Kathleen Knutson	MN

552	Lisa Morgan	MN
553	Megan Sayre	MN
554	Roxanne Will	MN
555	Tamara Bergstraser	MN
556	Amy Ridenour Valeka	MO
557	Anthony Crea	MO
558	Arlene Loveall	MO
559	Barbara Sholar	MO
560	Betty Perkins	MO
561	Bobbie Heyer	MO
562	Brent Stahl	MO
563	Brian Carter	MO
564	Bruce Johnson	MO
565	Chari House Randolph	MO
566	Cheryl Brewer	MO
567	Cynthia Jones	MO
568	Daniel Carter	MO
569	Grant Harrington	MO
570	Jacqueline Mears	MO
571	James Edwards	MO
572	James Ziebarth	MO
573	Janell Allred	MO
574	Jeremy Hernandez	MO
575	Jesse Stinnett	MO
576	John Fiske	MO
577	Joshua Hart	MO
578	Kathleen Shirley	MO
579	Korbin Cook	MO
580	Lanita Barber	MO
581	Melanie Walbaum	MO
582	Nicholas Diekmann	MO
583	Ricky Stradford	MO
584	Shawna Nichols	MO
585	Tommy L Tipler Jr.	MO
586	Amanda Banks	MS
587	Annie Patrick	MS
588	Brenda Adams	MS
589	Brooks Jones	MS
590	Carsandra Moore	MS
591	Caruther Favorite	MS
592	Christopher Allday	MS
593	Cynthia Bohorquez	MS
594	Demaria L Robinson	MS
595	Dollie Yeager	MS

596	Georgia Hamlin	MS
597	Jacinta James	MS
598	Jerry Smith	MS
599	Jessie Grigsby	MS
600	Joyce Washington	MS
601	Lashanda Caston	MS
602	Levi Rendon	MS
603	Relda Huggins	MS
604	Shirley Allen	MS
605	Tracey Jordan	MS
606	Brandy Knapp	MT
607	Jessica Legg	MT
608	Randy Howman	MT
609	Allen Terry	NC
610	Amanda Nelson	NC
611	Bernita Davis	NC
612	Beverly Aponick	NC
613	Brian Rhoades	NC
614	Chantel Williams	NC
615	Cheryl Buchanan	NC
616	Christy Champion	NC
617	Duane Moore	NC
618	Dustin Darnell	NC
619	Gerard Ramos	NC
620	Howard Bost	NC
621	James Stroud	NC
622	Janet Chapman	NC
623	Janet Yates	NC
624	Janice Frank	NC
625	Jennifer Jessup	NC
626	Jimmy Snider	NC
627	Kathy Martin	NC
628	Krystal Horner	NC
629	Laurie Moser	NC
630	Lillian Valentin	NC
631	Lisa Barbera	NC
632	Lisa Green	NC
633	Patricia Heath	NC
634	Patricia Holt	NC
635	Rebecca Banks	NC
636	Ronda Ashby	NC
637	Rosemary Martinez	NC
638	Ruth Morgan	NC
639	Tijuana Greene	NC

640	Veronica Quick	NC
641	Victor Tart	NC
642	Wanda Tavares	NC
643	Wendy Sisk	NC
644	Cheryl Albin	ND
645	Isabel M. Martinez	ND
646	Leanne Kohl-Merritt	ND
647	Melody Smith	ND
648	Tracy Hagen	ND
649	Adam Haney	NE
650	Justen Fenske	NE
651	Justin Snyder	NE
652	Stewart Dyas	NE
653	Ladonna Blais	NH
654	Anastasia Reynolds	NJ
655	Andrea Mack	NJ
656	Anita Menture	NJ
657	Cathryn Mihalics	NJ
658	Cheryl-Anne Cipriano	NJ
659	Donna Lapinski	NJ
660	Eleanor Brown	NJ
661	Gladys McCoy	NJ
662	Kathleen M Thayne	NJ
663	Leonia Omojola	NJ
664	Maribel Maysonet	NJ
665	Sara Kohn Rosenberg	NJ
666	Susan Boyce	NJ
667	Susan Mitricka	NJ
668	Doris Vandruff	NM
669	Jamisha Pryor	NM
670	Kimberly McDonald	NM
671	Adell Jenkins	NV
672	Alicia Fullington	NV
673	Blanchi Cosio Dugatkin	NV
674	Brooke Sutton	NV
675	Jada Franklin	NV
676	Jeffrey Hayes	NV
677	Jessica Borowy	NV
678	John Dufficy	NV
679	Rebecca Donaldson	NV
680	Robert Westfall	NV
681	Stanley Washington	NV
682	Stuart Brodie	NV
683	Tiffany Melnik	NV

684	Zack Dix	NV
685	Andrea Robetoy	NY
686	Barbara Durham	NY
687	Cheryl Gilmore	NY
688	Christopher Lottie	NY
689	Chrystal Bradley	NY
690	Constance Stauring	NY
691	David Baum	NY
692	Elizabeth Cook	NY
693	Frank Messina	NY
694	Fred Taylor	NY
695	Iris Brock	NY
696	James Cheaves	NY
697	Jason Pieszala	NY
698	Krysta Albert	NY
699	Linette Bourgeois	NY
700	Ryan Brown	NY
701	Sabrina Jacobs-El	NY
702	Shawn Spack	NY
703	Sue Ritzel	NY
704	Tina Bruns	NY
705	Travis Eaton	NY
706	Wanda Tanner	NY
707	William Holthusen	NY
708	Aiden Burns	OH
709	Annette Chandler	OH
710	Arriest Hoskins	OH
711	Carol Painter	OH
712	Charles O Freeman	OH
713	Chris Nichols	OH
714	Christina Andrews	OH
715	Colleen Davis	OH
716	Danielle Hall	OH
717	David Phifer	OH
718	Deborah Walker	OH
719	Debra Goldsworthy	OH
720	Donald Powers	OH
721	Douglas Rausch	OH
722	Evermont Moye	OH
723	Freda Harding	OH
724	Guy Madison	OH
725	Heather Dean	OH
726	Heather Sample	OH
727	Jennifer Orlando	OH

728	Jocelyn McDonald	OH
729	Joshua Collins	OH
730	Joyce Partin	OH
731	Juan Avery	OH
732	June Frost	OH
733	Justin Baker	OH
734	Kali Tennyson	OH
735	Karen Blackwell	OH
736	Laurie Thornberry	OH
737	Lynette Smith	OH
738	Melinda Washington	OH
739	Nina Byers	OH
740	Odia Halcomb	OH
741	Rebecca Bennett	OH
742	Rickey Rost	OH
743	Ryan Dillon	OH
744	Shannon Lewis	OH
745	Susan Kirkland	OH
746	Teresa Mattox	OH
747	Thomas Craig	OH
748	Todd Estep	OH
749	Tylor Lemaster	OH
750	Andrew Smoot	OK
751	Charles Norris	OK
752	David Stokka	OK
753	Judy Kisling	OK
754	Lorona Evans	OK
755	Randy Manning	OK
756	Terri Stewart	OK
757	Yutana Cothorn	OK
758	Cindy Fenton	OR
759	Darlene Solomon	OR
760	Felix Loeb	OR
761	Helen Burnett	OR
762	Jenny Harold	OR
763	Jim Ferguson	OR
764	Jimme Wagley	OR
765	Joshua Bartlett	OR
766	Kelly Warren	OR
767	Misty Wilson	OR
768	Nicole Smith	OR
769	Nikki Griesenauer	OR
770	Rob Fredrickson	OR
771	Ronald Holcomb	OR

772	Sheryl Holt	OR
773	Susan Woods	OR
774	Trisha Brown	OR
775	Valerie Baytosh	OR
776	Wayne Griffith	OR
777	Addison James	PA
778	Amy Burick	PA
779	Brad Paver	PA
780	Brandy Walton	PA
781	Carol Hertzog	PA
782	Creena Norris	PA
783	Curtis Bigelow	PA
784	David Galloway	PA
785	Donna Deitrich	PA
786	Donna Digiovanni	PA
787	Donna Reinert	PA
788	Gayle Davis	PA
789	Geraldine Britton	PA
790	Jeanette Dutrow	PA
791	Jennifer Wilson	PA
792	Kenneth Brodman	PA
793	Larry Adams	PA
794	Lavenia Freeman	PA
795	Linda Sayers	PA
796	Lisa Clevenger	PA
797	Lori Bump	PA
798	Marvin Banks	PA
799	Mary Dunham	PA
800	Michael Volek	PA
801	Michael Wenrich	PA
802	Nicole Dynda	PA
803	Patricia Kramer	PA
804	Rita Holmes	PA
805	Sandra Vargo	PA
806	Sekia Spencer	PA
807	Seth Elegar	PA
808	Shari Lupinski-Tobin	PA
809	Sheila Ziemba	PA
810	Joanne Fournier	RI
811	Tanya Bishop	RI
812	April Haney	SC
813	Bryan Talbott Sr.	SC
814	Dave Foster	SC
815	Debra Lazurick	SC

816	Don Burdette	SC
817	Dwanda Johnson	SC
818	Jamie Lemaster	SC
819	Jimmy Oshields	SC
820	Juel Alfred	SC
821	Kimberly Griggs	SC
822	Kristy McGrath	SC
823	Lisa White	SC
824	Michael James	SC
825	Patrick Henry	SC
826	Shawn Delaine	SC
827	Sherry Rudd	SC
828	Charles Pitman	TN
829	Cortney Chatman	TN
830	David Gentry	TN
831	Elizabeth Hulse	TN
832	Erika Diaz	TN
833	Frances Chapman	TN
834	Franka Galbreath	TN
835	Freddie Barr	TN
836	James Littrell	TN
837	James Stewart	TN
838	Judy Morrison	TN
839	Keith Glover	TN
840	Linda Branam	TN
841	Lucky Carter	TN
842	Mary Smith	TN
843	Michele Paradis	TN
844	Renee Parrett	TN
845	Renee Rodgers	TN
846	Terry Hughes	TN
847	Andrea Garcia	TX
848	Angela Seale	TX
849	Anglia Lemieux	TX
850	Annie Brundage	TX
851	Betty Busse	TX
852	Burrell Taylor	TX
853	Charlie Salas	TX
854	Charlotte Williams	TX
855	Cheryl Trainer	TX
856	Cynthia Miles	TX
857	Deborah Drew	TX
858	Denise Harris	TX
859	Donna Neighbors	TX

860	Erika Thompson	TX
861	Ethel Christopher	TX
862	Felix Vallejo	TX
863	Francisco Martinez	TX
864	Franklin Martin	TX
865	Gregory Davis	TX
866	Jayson Hinsley	TX
867	Jeanna Long	TX
868	Jennifer Hightower	TX
869	Jolie Wasneechak	TX
870	Joni Hallmark	TX
871	Jose Hernando	TX
872	Kathy Burr-Bice	TX
873	Kathy Perkins	TX
874	Kevin Fant	TX
875	Lydia Klotz	TX
876	Margaret Sandoval	TX
877	Mary Mansfield	TX
878	Mary Ojeda	TX
879	Melinda Lampkin	TX
880	Michelle Perez	TX
881	Mike Killough	TX
882	Mitchel Bourge	TX
883	Nina Perez	TX
884	Pamela Carson	TX
885	Patrick Brewer	TX
886	Paul Williams II	TX
887	Penny Baker Hummel	TX
888	Perry Lee	TX
889	Rheaann Hudson	TX
890	Robbin Thompson	TX
891	Roy Clements	TX
892	Ruben Perez	TX
893	Sabino Alicea	TX
894	Shane Lemaster	TX
895	Shannon Harrington	TX
896	Steven Hudis	TX
897	Steven McCain	TX
898	Sue Turner	TX
899	Theresa Murphy	TX
900	Tina W Kwik	TX
901	Tommy Morse	TX
902	Veronica Bostian	TX
903	Vicki Leonard	TX

904	Wendy Silvernail	TX
905	Robert Horspool	UT
906	Amanda Kiser	VA
907	Candace Mitchell	VA
908	Cindy Pagans	VA
909	Desiray Welch	VA
910	Dorothy Ross	VA
911	Eric Farmer	VA
912	James Scott	VA
913	Noelle Quade	VA
914	Robert Braddock	VA
915	Sam Raymond	VA
916	Samantha Osborne	VA
917	Sherri Lewis	VA
918	William Mumaw	VA
919	Eric Turco	VT
920	Maryann Cavlier	VT
921	Anna Smith	WA
922	Brandy Hatley	WA
923	Brooke Turner	WA
924	David Bush	WA
925	Donovan Dehnel	WA
926	James Swift	WA
927	Jim Giordano	WA
928	Jodi Arnold	WA
929	John Perry	WA
930	Judy Sidhu	WA
931	Karen Greene	WA
932	Kira Klein	WA
933	Liberty Black	WA
934	Linda Goolsby	WA
935	Lorie Vick	WA
936	Marsha McFarland	WA
937	Racheal Meyer	WA
938	Scott Lobdell	WA
939	Toni Jackson	WA
940	Trisha Endres	WA
941	Troy Allman	WA
942	Brenda Hansen	WI
943	Calvin Worthy	WI
944	Chanicka Parker	WI
945	Danielle Lepine	WI
946	Deborah Littleton	WI
947	Donald Johnson	WI

948	Duwayne Ninabuck	WI
949	Janell Lucious	WI
950	Jay Drogsvold	WI
951	Lisa Hendricks	WI
952	Marcia Petitt	WI
953	Margie Meier	WI
954	Marie Day	WI
955	Melissa Hand	WI
956	Monique Stone	WI
957	Rhonda Anderson	WI
958	Rosalynd Brazil	WI
959	Shana Pirtle	WI
960	Sue Dolkiewicz	WI
961	Valerie Nelson	WI
962	Wayne Green	WI
963	Becky Sizemore	WV
964	Bridget Carpenter	WV
965	Christopher Hager	WV
966	Cindy Everett	WV
967	Debbie Kirk	WV
968	Donald Messer	WV
969	Elaine Elmore	WV
970	Everette Mullins	WV
971	Hope Watson	WV
972	Jennifer Glaub	WV
973	Kelley Spangler	WV
974	Lawrence Brendlinger	WV
975	William Frame	WV